

REMARKS

Claims 9-18 are pending in the application. Claims 9-11 and 15-17 are rejected and claims 12-14 and 18 are objected to.

Claims 11 and 17 have been cancelled herein.

Claims 9, 10, and 12 have been amended to clarify the claimed invention. The amended claim 9 defines in detail an ATM switch system at an intermediate node located downstream from the starting point of the protection domain.

Claims 10 and 16 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 10 has been clarified as pointed out on page 2 of the Office Action.

Claims 9 and 11 are rejected under 35 U.S.C. § 102(e) as anticipated by Chen et al. (U.S. 6,353,593) (Chen).

Chen only discloses the operation of the source and destination nodes connected with working and protection lines, as shown in Figs. 2, 3 and 4.

In contrast claim 9 recites an ATM switch system at an intermediate node located downstream from the starting point of the protection domain and therefore, the claimed inventions is not be anticipated by Chen.

For example claim 9 recites an ATM switch system at an intermediate node located downstream from the starting point of the protection domain detects a failure on the working channel and transmits an AIS cell in a down stream direction toward an ATM switch system of a destination node located at a terminal point of the protection domain.

For at least the foregoing reasons it is respectfully requested the rejection be withdrawn.

Claims 10 and 15-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen in view of Ahmad et al.

The Chen reference is assigned to Fujitsu Network Communications Inc. which is and was 100% owned by Fujitsu Limited at the time of filing the present application.


Accordingly, this rejection should be withdrawn as the Chen reference is improper.

It is respectfully submitted claims 9, 10, 12-16, and 18 are in condition for allowance.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,


Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304
Telephone: (212) 940-8703
Fax: (212) 940-8986 or 8987
Docket No.: FUJH 17.615 (100794-11481)
BSM:fd